

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ICIAR CALLE JIMENEZ, ET AL.,

Plaintiffs,

-v-

NATALIA CAROLINA HERRERA MONTIEL,

Defendant.
-----X

23 Civ. 8086 (PAE)

ORDER OF DISMISSAL

PAUL A. ENGELMAYER, District Judge:

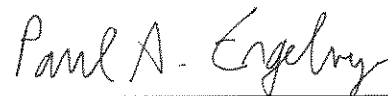
On October 10, 2023, the Court issued an order to show cause why this action should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41. Dkt. 8. On September 12, 2023, plaintiff filed the complaint in this action. Dkt. 2. On September 19, 2023, this Court issued an order instructing plaintiffs to address an apparent jurisdictional defect by September 26, 2023. *See* Dkt. 7. Plaintiffs did not do so nor have they taken any other action with respect to this case, prompting the Court's order to show cause.

The Court's October 10, 2023 order to show cause advised that failure to act on the order by October 17, 2023 would result in dismissal without prejudice under Rule 41. Dkt. 8. Plaintiff has not taken any action to make any progress in this case since the Court's order to show cause.

Accordingly, under Federal Rule of Civil Procedure 41(b) and the Court's inherent power, *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962), the Court hereby dismisses this case, without prejudice, for the plaintiff's failure to prosecute.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer".

Paul A. Engelmayer
United States District Judge

Dated: October 23, 2023
New York, New York